

MASSACHUSETTS—CONVENTION OF SOUTH CAROLINA.

RESOLUTIONS

OF THE

LEGISLATURE OF MASSACHUSETTS,

Upon the subject of a Reduction of the Duties on Imports, &c. &c.

JANUARY 30, 1833.

Read, and referred to a Committee of the Whole House on the state of the Union.

EXECUTIVE DEPARTMENT OF MASSACHUSETTS,

Boston, January 23, 1833.

SIR: I promptly and cordially perform an assigned duty, in transmitting for your attention an expression of the opinions of both branches of the Legislature, and of the Executive of Massachusetts, on the subject of the protection of the domestic industry of the country, and the inexpediency, impolicy, and ruinous tendency of the tariff bill, now pending before the House of Representatives of the United States; the passage of which is deprecated as a measure fatal to the prosperity, independence, and integrity of the nation, by the representatives of the people of this Commonwealth.

With sentiments of respectful consideration,
Your obedient servant,

LEVI LINCOLN.

To the Hon. NATHAN APPLETON.

COMMONWEALTH OF MASSACHUSETTS.

REPORT OF THE JOINT COMMITTEE—ON THE TARIFF BILL.

The Joint Committee, appointed to consider so much of the Governor's address as relates to the proceedings of the late Convention of the people of South Carolina, and the purposes and policy thereof; and, also, the resolutions of the State of Pennsylvania thereon; and to whom have been referred the resolutions of the State of New Hampshire upon the subject of the proclamation of the President of the United States in reference to the same, have entered on the consideration of the matters entrusted to them, and respectfully submit the following report, in part:

On examining the proceedings of the late Convention of the people of South Carolina, the committee find that they announce, on the part of that State, pretensions of a novel and dangerous character, which, if persisted in and carried out in practice, can only terminate in the destruction of the Government. South Carolina claims for herself, as one of the States composing this Union, the right of annulling at discretion any act of the Government of the United States which she may regard as unconstitutional; and has undertaken to exercise this right in reference to the laws imposing duties on the importation of foreign goods. In a public act, denominated an ordinance, the Convention declare that those laws are null and void, and make it the duty of the Legislature to adopt such measures as may be necessary to prevent their enforcement within the limits of the State. The addresses and reports accompanying the ordinance set forth the reasons by which the Convention endeavor to justify their proceedings, and appeal to the people of the several States for their sanction and approval.

Such pretensions, made in so respectable a quarter, with every appearance of earnestness, and officially communicated to the Government of this Commonwealth, will naturally require from the General Court the expression of some opinion upon their correctness and consistency with the constitution and laws of the country. The committee accordingly propose, after the farther and more mature examination of the subject, which seems to be due to its extraordinary importance, to submit a report upon those points. In the mean time, they find among the practical consequences of these proceedings, some which affect very deeply the interest and honor of this Commonwealth; and which, from the peculiar urgency of the case, appear to call for some distinct and immediate action.

The objection made by the State of South Carolina to the laws which she has undertaken to annul, is, that they were passed for the purpose of protecting domestic industry. She distinctly declares that she will not permit any laws made for this purpose to be executed within her limits; and that if an attempt be made to carry them into execution by force, she will withdraw from the Union. The Executive branch of the Government of the United States has met these pretensions with a firmness that becomes the official representative of a great and enlightened people, and has declared, in a public proclamation, that the laws must and will be enforced. The legislative branch of the Government will doubtless exhibit, in its final action, the same firm and dignified attitude which has been assumed by the President; but the committee have learned, with regret, that a bill has been reported by one of the most important committees of the House of Repre-

sentatives, and is now under discussion in that body, the object of which seems to be to remove the danger of a collision between the Government of the United States and South Carolina, by granting to the latter all that she demands. This bill is incorrectly described in its title as a bill for the reduction of the duties on imported goods. While the duties on imported goods of some descriptions are reduced by it, those on others are raised; and should the bill become a law, its general result would probably be to increase rather than diminish the receipts into the Treasury. The real object of the bill is obviously so to modify the laws laying duties on imported goods that they shall in no degree, or as little as may be, afford protection to the domestic industry of the country. The passage of such a law, considered merely as a change in the economical policy of the Government, would be exceedingly injurious to the best interests of the people, and in particular of the citizens of this Commonwealth; and, taking into view the circumstances under which it is proposed, would, in the opinion of the committee, seriously compromise the dignity and honor of the country.

1. Considered merely as a change in the economical policy of the Government, the passage of this bill would be ruinous to the best interests of the people, and particularly of this Commonwealth. It reduces to such an extent the duties on imported cotton and woollen goods, that the domestic manufacture of these articles could not be sustained. These manufactures, which have grown up under the assurance of protection from the Government, now employ many millions of capital, and several hundred thousand persons. In this Commonwealth the amount of capital invested in these two branches of manufacture only, though it cannot be calculated with much exactness, is probably not less than from thirty to forty million dollars. A great part of this capital, and with it the fortune of the citizens to whom it belongs or gives employment, would be destroyed for ever by the passage of this bill. The effect of the passage of the bill on the growth of wool, and on the manufacture of iron and sugar, would be not less injurious. It would, in short, prostrate at a blow all the principal branches of domestic manufacturing industry.

The fatal effect of such a measure upon the public welfare hardly needs to be specified. The importance of domestic manufactures, as a home market for the products of agriculture, as a security for the national independence, as a means of increasing the wealth and population, extending the comforts, and elevating the civilization of the community, is universally admitted. The most enlightened nations have always been ready to make great sacrifices for the sake of naturalizing, within their own limits, these valuable establishments. Our own Government has, for fifty years, uniformly, perseveringly, and successfully, pursued the same policy. The small tax which it has imposed upon us, in the increased price of some articles, has been repaid in a thousand different shapes in the augmented prosperity of the country. After we have thus, for half a century, fostered our domestic manufactures with increasing care, until we have finally brought them to their present flourishing condition, is it politic, patriotic, consistent, to turn upon them suddenly, and, by a single wanton act of power, crush them all at a blow? Would not an act of this kind appear to be dictated rather by wild caprice than by the sober and prudent calculation which ought to prevail in the councils of a great people?

It is obvious that such a proceeding could only be justified by some very strong and urgent motive. In the present instance none whatever can be

found. The pretext alleged by South Carolina for desiring the repeal of the protecting duties is, that they are unequal in their operation; that they press more heavily upon her industry than upon that of the north, and have reduced her to a state of comparative decay. But these allegations, which are sustained only by fine spun metaphysical disquisitions on political economy, are wholly at variance with notorious facts. It is known to every impartial inquirer that the establishment of home manufactures, by opening a new market for their staple products, exercises a most beneficial influence on the prosperity of the planting States, and that, if some of these have, in fact declined at all, it has been, not in consequence of the tariff, but of the opening of richer soils in the new southwestern States. The pretence alleged by the framers of the bill, is the necessity of reducing the revenue, in consequence of the diminution of the public expenses resulting from the payment of the national debt. This is still more futile than the other. If it be the object of the bill to reduce the revenue, why does it restore the duties on tea and coffee? Are the framers of the bill ignorant of the known and familiar fact, that a diminution of the duties on imported goods, by increasing the importation generally, increases the aggregate receipts? The effect of the bill, should it become a law, would probably be, as your committee have already remarked, not to diminish but to increase the receipts into the Treasury. The framers of it cannot be ignorant of this, and the real object in proposing it must therefore, of necessity, be different from the professed and ostensible one.

If it were for any sufficient reason really expedient to change in this way the long established economical policy of the country, the plainest considerations of humanity and justice would dictate that the change should be made very gradually, so that the citizens, whose property is invested in manufactures, might be able to disengage it with the least possible loss. No greater political evil can well be imagined than violent and sudden changes of the laws on any subject; and, where such changes are of a nature to affect immediately the welfare of individuals, they can only be excused by the severest necessity. The force of this consideration has been heretofore acknowledged, even by the opponents of the protecting policy, and was kept in view in all previous projects for the reduction of duties. It is now, for the first time, seriously proposed to effect at once a reduction large enough to destroy the most flourishing establishments, and to carry desolation through the whole manufacturing interests of the country.

Such is the character of the bill, considered merely as a change in the economical policy of the Government. The objections to it, which your committee have stated in the most concise form, but which are too familiar to the public mind not to occur at once with all the necessary development of every one, are plain, obvious, palpable. They cannot, it would seem, be overlooked or disregarded by any sincere and enlightened friend of the country. Strong as they are, they are however, if possible, inferior in importance to those which are suggested by a view of the circumstances under which the bill is proposed.

2. Considering the circumstances under which it is offered, the bill amounts to a proposal to surrender the rights and interests of the whole people to the menaces of a single State, and the passage of it into a law would seriously compromise the honor and dignity of the Government.

A few months only have elapsed since the present Congress, with great consideration, and after many months of long and anxious debate, passed an

impost law, which was to take effect from and after the first day of next March, and which has of course not yet gone into operation. No law has ever been passed in this country, upon which the people at large, or their Representatives, in Congress have bestowed more time, labor and attention, than upon this. Two great Conventions were successively held, masses of materials in the form of reports and statistical documents were collected, and months of debate were employed in bringing it to perfection. It was a law of reduction—constructed on the professed principle of compromise, with a view of satisfying, by every reasonable concession, the discontents of the south. It was adopted by an unusually large and gratifying majority, composed of moderate men of all parties. The repeal of a law made with so much labor and caution, before it has even gone into operation, is a measure which could obviously be justified only by some very important political event occurring in the interval. It is a measure which, in the nature of things, would never be proposed excepting as a consequence of some such change. What event then has occurred, since the adoption of the impost law of the last session of Congress, of a nature to lead to such a proposal?

The only event which has taken place since the last session of Congress, that has any bearing at all on the subject, is the declaration of the South Carolina Convention, that that State will secede from the Union unless the protecting policy be forthwith abandoned. The bill reported by the Committee of Ways and Means of the House of Representatives proposes the immediate abandonment of the protecting policy. Does it require any argument to make it appear that the report of this bill is one of the results of the South Carolina Convention? Does it require any argument to show that the passage of such a bill, reported under such circumstances, into a law, would be as inconsistent with the honor as it would be with the interest of the country?

Your committee think not; and, conceiving it to be of great importance that the opinion of this General Court should be distinctly and promptly expressed upon the subject, they respectfully submit the following resolves.

All which is respectfully submitted.

By order of the committee.

A. H. EVERETT, *Chairman.*

RESOLVES, IN RELATION TO A BILL NOW PENDING IN THE CONGRESS OF THE UNITED STATES.

Whereas, the Committee of Ways and Means of the House of Representatives of the United States have reported a bill for the further reduction of the duties on imported goods, the passage of which into a law would materially affect the interests of the people of this Commonwealth; and

Whereas, it is important that the opinion of the General Court should be expressed upon the subject, in order that the Senators and Representatives of this Commonwealth may be better enabled to understand and give effect to the wishes of their constituents: therefore,

1. *Resolved by the Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled,* That the passage into a law of the bill for the further reduction of the duties on imported goods, now pending in the House of Representatives of the United States, would prostrate the principal branches of our domestic manufactures, destroy our agricultural enterprise, paralyze our commerce and fisheries, and con-

demn to bankruptcy and ruin thousands of our most industrious and enterprising citizens, and materially affect, in the most injurious manner, the prosperity of the whole country.

2. *Resolved*, That it is the usage and the duty of enlightened and prudent governments to proceed with great deliberation in their legislation on all important subjects, and that no greater political evil can well be imagined than frequent and rapid changes of the laws, especially such as affect the property and industry of the citizens. That for Congress, after having recently revised the revenue laws with great consideration, and made a new arrangement of them by an unexpectedly large and satisfactory majority, to take up the subject again before the new law has even gone into operation, and at a short session when the little time at their disposal is plainly insufficient for a careful examination of it, would be a proceeding manifestly at variance with the plainest rules of discretion, and only to be justified by the intervention of some very great change in the political situation of the country.

3. *Resolved*, That since the passage of the law of the last session of Congress, which has not yet gone into operation, no change has occurred in the political situation of the country of a nature to affect the action of the Government upon the subject, except the assembling and acts of the South Carolina Convention, by which that State threatens to secede from the Union unless the protecting policy be immediately abandoned; and that these proceedings, far from affording a sufficient motive for new legislation on the subject at the present moment, would form of themselves a strong objection to it; that no moment could well be imagined less favorable for a cool and dispassionate examination of any general subject, than one in which it should be accidentally embarrassed by a particular incident of a novel, dangerous, and irritating character; and that a prudent, firm, and patriotic government would on no account expose the great interests of the people to the risk which they would run by being debated and decided upon in the midst of civil commotions.

4. *Resolved*, That the bill now reported by the Committee of Ways and Means, is not merely an injudicious and impolitic attempt to legislate under circumstances unfavorable to a calm and cool consideration of the subject, but wears upon the face of it the aspect of submission, and that it grants substantially what South Carolina demands; that, taking into view, in connexion with its tenor and objects, the manner in which it has been brought forward, and pressed upon the consideration of Congress, it amounts to nothing less than a proposal to sacrifice, and that in a precipitate manner, inconsistent with our ideas of national honor and dignity, the rights and property of twenty-three of the States to the menaces of one.

5. *Resolved*, That while we cannot for a moment anticipate the possibility of the passage into a law of a bill of this description in a Congress which, within a few months, has, by a large majority, pledged itself to the policy which it is now proposed to abolish, we yet deem it our duty formally to protest against the adoption of the measure proposed, as subversive of the best interests of the country, derogatory to the national honor, and involving a gross and palpable abuse of power in the Government.

6. *Resolved*, That, whilst the people of this Commonwealth, in the spirit of patriotism and of fraternal conciliation, are ready at all times to submit to such reasonable changes of national policy as the deliberate judgment of the whole country shall require for the common good, they are not bound

silently to acquiesce in destructive revolutions in principles and policy, effected by threats of violence through the forms, but in contempt of the spirit and power of the constitution.

7. *Resolved*, That our Senators in Congress be instructed, and our Representatives requested, to use all the means in their power to prevent the bill reported by the Committee of Ways and Means from passing into a law.

8. *Resolved*, That his excellency the Governor be requested to transmit a copy of these resolves, with the report preceding them, to each of the Senators and Representatives of the Commonwealth in Congress, and to the Governors of all the States.

IN SENATE, *January 18, 1833.*

Read twice, and passed.

Sent down for concurrence.

B. T. PICKMAN, *President.*

HOUSE OF REPRESENTATIVES, *January 22, 1833.*

Read twice, and passed in concurrence.

W. B. CALHOUN, *Speaker.*

January 23, 1833—Approved:

LEVI LINCOLN.

A copy—Attest,

EDWARD D. BANGS,

Secretary of the Commonwealth.

slightly to acquiesce in destructive revolutions in principles and policy
effected by the use of violence through the forms but in contempt of the
spirit and power of the constitution.

Resolved That our Senators in Congress be requested and our Rep-
resentatives requested to use all the means in their power to prevent the
reimbursement of the Committee of Ways and Means from passing any a

Resolved That the Executive of the Government be requested to present
a copy of these resolutions with the report preceding them to each of the
Senators and Representatives of the Union and to the
Governors of all the States.

It is further recommended that

Read twice and passed.

Sent down for consideration

R. F. PROEMAN President

House of Representatives January 23 1833

Read twice and passed in consequence

W. B. CALHOUN Speaker

January 23 1833 Approved

LEVI LINCOLN

4 copy - Answer

Edward D. Bards

Secretary of the Convention